

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:94-00007

BILLY G. REED

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER  
MEMORANDUM OPINION AND ORDER

On August 27, 2009, the United States of America appeared by J. Christopher Krivonyak, Assistant United States Attorney, and the defendant, Billy G. Reed, appeared in person and by his counsel, Jacqueline A. Hallinan, for a hearing on the petition on supervised release submitted by United States Probation Officer Douglas W. Smith, the defendant having commenced a seventy-two month term of supervised release in this action on February 3, 2009, as more fully set forth in the Supervised Release Revocation and Judgment Order entered by the court on February 2, 2009.

The court heard the admissions of the defendant, the evidence and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respects: (1) that the defendant used marijuana as evidenced by positive urine screens submitted by him on April 10 and July 7, 2009; and (2) that the defendant failed to abide by the special condition that he spend a period of six months in a community confinement center inasmuch he was terminated from the program on July 6, 2009, for failing to comply with the program rules following an altercation in which the defendant encouraged his girlfriend to slap a female co-resident, the defendant having thereafter hurled epithets at that same victim and another co-resident and threatened to harm them; all as set forth in the petition on supervised release.

And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously

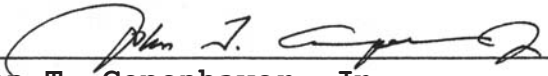
imposed upon the defendant in this action be, and it hereby is, revoked.

And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, on the basis of the original offense, the intervening conduct of the defendant and after considering the factors set forth in 18 U.S.C. § 3553(a), that the defendant is in need of correctional treatment which can most effectively be provided if he is confined, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of TWELVE (12) MONTHS, to be followed by a term of SIXTY-TWO (62) MONTHS of supervised release upon the standard conditions of supervised release now in effect in this district by order entered June 22, 2007, and the further condition that the defendant not commit another federal, state or local crime.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: September 4, 2009

  
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John T. Copenhaver, Jr.  
United States District Judge